



Tied Pubs (Scotland) Act 2021

2021 asp 17

PART 3

INTERPRETATION

20 Tied pub

- (1) In this Act, “tied pub” means a pub which is being leased to a tenant who is subject to a contractual obligation which—
 - (a) requires that some or all of the alcohol to be sold in the pub be supplied by—
 - (i) the landlord of the pub, or
 - (ii) a person nominated by the landlord, and
 - (b) is not a stocking requirement.
- (2) In subsection (1)(b), “stocking requirement” means a contractual obligation which—
 - (a) requires that some of the beer or cider (or both) that is to be sold in the pub is produced by the landlord,
 - (b) does not require the tenant to procure that beer or cider from a particular supplier, and
 - (c) neither prevents the tenant from, nor penalises the tenant for, selling in the pub beer or cider that is produced by a person other than the landlord (although a contract term may impose restrictions on such sales).
- (3) References in this section to the landlord of a pub includes any person who is a group undertaking in relation to the person who is actually the landlord.

21 Pub-owning business and tied-pub tenant

- (1) In this Act, “pub-owning business” means (subject to subsection (2)) the landlord under the lease of a tied pub.
- (2) References in this Act to—
 - (a) a pub-owning business include a person who has been a pub-owning business,
 - (b) a tied-pub tenant include a person who has been the tenant under the lease of a tied pub.

22 Other expressions

In this Act—

“adjudicator” means the Scottish Pubs Code Adjudicator,

“beer” and “cider” have the meanings given in section 1 of the Alcoholic Liquor Duties Act 1979,

“code” means the regulations under section 1,

“group undertaking” has the meaning given by section 1161 of the Companies Act 2006,

“pub” means premises—

- (a) in respect of which a premises licence within the meaning of section 17 of the Licensing (Scotland) Act 2005 has effect, and
- (b) in which the main activity (or one of the main activities) carried on is the sale of alcohol to members of the public for consumption on the premises.